

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10255 of 2017

Arising Out of PS.Case No. -138 Year- 2016 Thana -BAUNSI District- ARRARIA

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1. Sunil Kr. Paswan @ Sunil Paswan S/o Birjanand Paswan, Resident of
Village- Mahsaily, P.S.- Bounsi, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha

For the Opposite Party/s : Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 28-03-2017 The petitioner is in custody since 18.12.2016 in

connection with Bousi P.S. Case No. 138 of 2016, registered for

offences punishable under Sections 363, 366A/34 Indian Penal

Code.

It has been submitted on behalf of the petitioner that he

has falsely been implicated in this case as there was love affair

between the brother of the petitioner and victim girl and she has

gone out with the brother of the petitioner out of her own sweet

will and performed marriage and that has also been supported by

statement of the girl recorded under Section 164 Cr.P.C. and the

petitioner has been in judicial custody since 18.12.2016.

Learned counsel for the State also could not controvert



the above fact.

Considering the aforementioned facts and circumstances, the period of custody and also that the petitioner has no criminal antecedent and the girl in her statement recorded under Section 164 Cr.P.C has stated that she had gone with the brother of the petitioner out of her own sweet will, as such, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate -1st Class, Araria, in connection with Bousi P.S. Case No. 138 of 2016, subject to following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the



court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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